

HEALD & LEBOEUF, LTD.

ATTORNEYS AT LAW

606 OLD COLONY HOUSE
58 WEYBOSSET STREET
PROVIDENCE, RHODE ISLAND 02903-2817

THOMAS W. HEALD*†
ROGER N. LEBOEUF*
WILLIAM E. SANFORD, III*

(401) 421-1500 • FAX (401) 331-5886
E-MAIL TWH@HEALDANDLEBOEUF.COM

*ALSO ADMITTED IN
MASSACHUSETTS

†ALSO ADMITTED IN
DISTRICT OF COLUMBIA

May 24, 2005

Catherine M. Campbell, Esq.
Feinberg, Campbell & Zack, P.A.
177 Milk Street, Suite 300
Boston, MA 02109

Re: New England Teamsters and Trucking Industry Pension Fund v. Pytko
Construction Corp.


Dear Catherine:

I am in receipt of your May 23 letter. Pytko accepts your revisions to its May 16 settlement proposal. Attached please find the May 16 letter marked up with your changes. Please confirm that the revised proposal is acceptable to the Fund.

Based on my conversation with you yesterday, it is my understanding that the deposition of Paul F. Pytko, scheduled for tomorrow, is now canceled.

Thank you for your courtesy and cooperation.

Very truly yours,



Roger N. LeBoeuf

Via Fax And Mail

EXHIBIT 